

I hereby certify that this paper is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 596704435 US, on the date shown below in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: July 31, 2007

Signature: \_\_\_\_\_

(Lon Sims)

Docket No.: 282172002900  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

Thomas W. DUBENSKY, Jr. et al.

Confirmation No.: 8458

Application No.: 10/773,792

Art Unit: 1645

Filed: February 6, 2004

Examiner: J. Graser

For: LISTERIA ATTENUATED FOR ENTRY INTO  
NON-PHAGOCYtic CELLS, VACCINES  
COMPRISING THE LISTERIA, AND  
METHODS OF USE THEREOF

**AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

This is in response to the non-final Office Action dated January 31, 2007 (Paper No. 20070117), for which a response is due on April 30, 2007. Filed herewith is a Petition and fee for 3 month(s) extension of time, thereby extending the deadline for response to July 31, 2007. Accordingly, this response is timely filed. Entry of this Amendment and reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

**Amendments to the Specification** begin on page 3 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 5 of this paper.

**Remarks/Arguments** begin on page 12 of this paper.